

Sri. P. K. Krishnankutti Menon : That does not require so many days' notice.

Sri. K. P. Nilakanta Pillai : The Minister has to make a motion first. After that some notice is required for us to prepare. Again, there are other grounds. The Bill has already lapsed. It follows therefore that Members are to be given more time to send amendments. It is a surprise that a lapsed Bill is sought to be revived in a moment and immediately taken up for consideration by the so-called virtue of a motion made under the S. O. It is a matter of common knowledge that hon. Members must be given sufficient time to send amendments. There must at least be due notice.

Sri. P. K. Krishnankutti Menon : S. O. 11 reads as follows:—

"The Secretary shall make every effort to circulate to each member a copy of every notice or other paper which is, by these Standing Orders, required to be made available for the use of members.

A notice or other paper shall be deemed to have been made available for the use of every member if a copy thereof is deposited in such manner and in such place as the Speaker may, from time to time, direct."

Therefore, I would request that notice may be given to the hon. Members to the effect that this Bill may be taken up for consideration day after tomorrow.

Sri. G. Chandrasekhara Pillai : I second it.

The motion was put and carried.

The Travancore-Cochin Payment of Salaries and Allowances Bill

Minister for Finance and Food (Sri. K. M. Korah): Sir I present the Select Committee Report on the Travancore-Cochin Payment of Salaries and Allowances Bill and move that the Bill as modified by the Committee be taken into consideration.

Chief Minister (Sri. C. Kesavan): I second it.

The motion was adopted.

Sri. P. S. Nataraja Pillai : [Sir, before moving my amendment formally I have a small modification to make and I do so with the permission of the Chair. There is a slight mistake in the amendment as printed. I do not know how that happened. Probably my handwriting might have caused it. Whatever that be, I now request the Chair to permit me to modify the figure 1951 as 1952. I move that in clause 1, insert the following as sub-clause (3).—

"This Act shall be in force till the last day of April 1952." We all know that we are at the fag end of the session just before the House is to be dissolved. The Bill that we are concerned with relates to salaries and allowances fixed for members and Ministers of the legislature. In the context of things, I will repeat what I said at the introduction stage. Under Article 195 of the Constitution we see the following:

"Members of the Legislative Assembly and the Legislative Council of a State shall be entitled to receive such salaries and allowances as may from time to time be determined by the Legislature of the State by law, and, until provision in that respect is so made, salaries and allowances at such rates and upon such conditions as were immediately before the commencement of this Constitution applicable in the case of members of the Legislative Assembly of the corresponding Province."

The language used is "from time to time as determined by the Legislature of the State by law" What we find in the Bill as it is, is a fixed salary and allowances till it is repealed by another Legislative measure. What I attempt by my amendment is not to fix the salaries for all time to come as has been done in the Bill now. Once it is dissolved, there will be a fresh election when new members come to the House. We should not fetter them with a decision of their House. The new members must be allowed to fix their own salaries and allowances. In view of the amendment given notice of by my hon. Friend Mr. Gnanasigamani, I am bold enough to reiterate my opinion. There is a point of view, that in view of the mounting cost of living day by day, it will be necessary to revise the scales of allowances allowed to the members of the House. For the same reason it may be necessary to revise the salaries of Ministers too. It may be said that the pay now received by the members is high, that the salaries fixed for the Ministers are also high and that they must be reduced. It may be said that the whole matter is entirely for the new House that comes into being to decide. The rates of remuneration which they will be prepared to draw and the fixation thereof being a matter affecting them, nothing need be done now on this matter. I ask, why should we at this stage put up a schedule and hand it on as a legacy for them to work up. There is a provision by which this Bill can be revised by the subsequent legislature that may come into being. In that case, why should a limiting provision be sought to be made as is now attempted by Government in the Bill in question? Why not we leave the matter as it is? Therefore it is enough if we make a law which will be in force till April 1952.

Another aspect also I want to bring to your notice. There are certain discrepancies in the rates of remuneration. There are anomalies. The Deputy Speaker gets a higher rate of daily allowance than that of the Speaker, besides salary. It is an anomaly. Anyway that is in force now. Personally speaking, as we are at the fag end of this legislature let the incumbents get whatever they have been getting hitherto. It will be time to revise the whole thing when the new legislature is constituted. I therefore earnestly plead for accepting my amendment. It will only be just on the part of this House to accept my amendment. The question whether the members and Ministers should get higher remuneration or not is a matter for the future legislature to take. They alone are the proper men to deal with their remuneration. These are very important matters which we should not attempt to settle at the present moment.

We all know that elections are in December and the results will be published by the beginning of the new year. It is likely the new House will come into being in April. It is all a matter of three to four months. We are actually validating by this Bill what has been in practice here so far. Therefore we need not rush through a Bill for tying down the succeeding legislature. I would say it will be better in the interest of all concerned not to fetter them with a provision of this nature. Therefore my amendment is appropriate.

Again it is a matter for the electorate to judge. The members contesting the elections will have their own views and will have their own suggestions to make. The electorate can give a mandate to the Members they elect as to the extent they should depend upon public money for their maintenance and so on. These are matters that can be clearly defined and settled by the succeeding Legislature. Therefore, I think my amendment may be accepted by the House.

Sri. K. M. Korah : Sir, I oppose the amendment. In other legislative bodies as well as in the Centre, the law relating to this subject is of a permanent nature. I do not agree with the contention put forward by the hon. Member

(Sri K. M. Korah)

that what we are doing now is binding the new Assembly which will come into being. Nothing prevents them from passing any law which they deem fit whenever occasion arises. Under these circumstances I oppose the amendment.

Sri. K. Sivarama Pillai: Sir, on a point of order. Before a vote is taken, I want to present a point. No financial statement is found attached to this Bill so that we can understand the commitments of Government. There is clause 3 which speaks of retrospective effect relating to dearness allowance and other allowances which have not been approved of by law. It is stated that certain sections of the Act shall be deemed to have come into force on the 26th of January 1950 and thereafter. I want to know the financial implication of that aspect of the matter. How much has been spent on that account, what is the amount outstanding, etc. No statement is appended along with this Bill on these matters.

Sri. K. M. Korah: Sir, all these objections should have been raised at the time of the introduction of the Bill. Besides there was a financial memorandum attached to the original bill.

Sri. K. Sivarama Pillai: As revised by the Select Committee, I find there is nothing like that. Where is the financial memorandum which we want?

Sri. K. M. Korah: We are not bound to do that after the Committee stage. Further, there was no change in the Select Committee as could be seen from the report.

Sri. D. Gnanasigamoni: The report indicates the changes that have been made. But the financial memorandum is not found published along with it. This is a defect.

Mr. Chairman: It was attached when the original Bill was published, and no change has been made by the Select Committee. It is therefore not necessary now.

The House rose for lunch at 1-2 p. m. and re-assembled at 2 p. m. with Mr. Deputy Speaker in the Chair.

[2 p. m.]

ELECTION OF SPEAKER

മിസ്റ്റർ ഡെപ്യൂട്ടി സ്പീക്കർ. അടുത്ത പരിപാടി സ്പീക്കർ എലക്ഷൻ ആണ്. സ്പീക്കർ സ്ഥാനത്തേക്ക് രണ്ടു പേരുടെ നാമനിർദ്ദേശങ്ങൾ ലഭിച്ചിട്ടുണ്ട്. ആ രണ്ടു നാമനിർദ്ദേശ പത്രികകളും പരിശോധിച്ചതിൽ നിയമപ്രകാരം സാധുവാണെന്നു കണ്ടിരിക്കുന്നു. അവരുടെ പേരുകൾ വായിക്കാം.

൧. ശ്രീ. എ. എം. തോമസ്സ്.

൨. ശ്രീ. കെ. പി. നീലകണ്ഠപ്പിള്ള.

ശ്രീ. എ. എം. തോമസിന്റെ നാമനിർദ്ദേശം ചെയ്തിട്ടുള്ളതു് സാഹിബ് ബഹദൂർ ടി. എ. അബ്ദുള്ളായും, സെക്കൻഡ് ചെയ്തിട്ടുള്ളതു് ശ്രീ. കെ. രാമകൃഷ്ണപിള്ളയുമാണ്. ശ്രീ. കെ. പി. നീലകണ്ഠപ്പിള്ളയുടെ നാമനിർദ്ദേശം ചെയ്തിട്ടുള്ളതു് ശ്രീ. പി. എസ്സ്. നടരാജപിള്ളയുമാണ്, സെക്കൻഡ് ചെയ്തിട്ടുള്ളതു് ശ്രീ. വി. ഗംഗാധരൻ നായരുമാണ്. ഒന്നിൽ കൂടുതൽ നാമനിർദ്ദേശങ്ങൾ ലഭിച്ചിട്ടുള്ളതുകൊണ്ടു് ഇപ്പോൾ അതു സംബന്ധമായ വോട്ടിംഗ് നടക്കുന്നതാണ്. ആദ്യം ശ്രീ. എ. എം. തോമസിന്റെയും രണ്ടാമതു് ശ്രീ. കെ. പി. നീലകണ്ഠപ്പിള്ളയുടെയും പേരുകളാണു് ബാലറ്റ് പേപ്പറിൽ അച്ചടിച്ചിട്ടുള്ളതു്. ഓരോ മെമ്പറും ആക്ഷേപണി വോട്ടു ചെയ്യുന്നവോ, അവരുടെ പേരിനു് എതിരെ ഒരു ഗുണന ചിഹ്നം രേഖപ്പെടുത്തേണ്ടതാണു്.